

Drawing Amendments

The attached sheet of drawings includes changes to FIG. 4. This sheet, which includes FIGs. 1-5, 8 and 14, replaces the original sheet.

Attachment: Replacement sheet.

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed February 24, 2005. Claims 10, 12-15, 19, 20, 23-26, 35, 36, 40, 46-48 and 52-59 were allowable. Claims 1-9, 11, 16-18, 21, 22, 27, 28, 30-34, 37-39, 41-45 and 49-51 were rejected. The claims and drawings have been amended to address the concerns raised by the Examiner. The claims have been placed in condition for allowance and Applicant requests a telephone interview if any further impediment remains to the allowance of these claims.

Claims 1-8, 11, 13-22, 24-43, and 47-65 remain in the application. Claims 1-59 were originally presented. Claims 9, 10, 12, 23, 44, 45 and 46 have been canceled without prejudice. Claims 1, 21 and 37 have been amended. Claims 60-65 have been added. Support for new claims 60-63 is found in original claims 1, 9-12 and 19. Support for new claims 64 and 65 is found in the specification at page 6, lines 1-9.

The indication of allowable claims 52-59, and the indication of allowable subject matter in claims 10, 12-15, 19, 20, 23-26, 35, 36, 40, 46-48, if rewritten in independent form, is acknowledged with appreciation.

Therefore, independent claim 1 has been amended to include the allowable subject matter of allowable claim 10. Thus, claims 1-8, 11 and 13-20 are allowable. Independent claim 21 has been amended to include the allowable subject matter of allowable claim 23. Thus, claims 21, 22 and 24-36 are allowable. Independent claim 37 has been amended to include the allowable subject matter of allowable claim 46. Thus, claims 37-43 and 47-51 are allowable.

In addition, new independent claim 60 includes original claim 1 plus the allowable subject matter of allowable claim 19. Thus, claims 60-63 are allowable. (Claims 61-63 correspond to original claims 9-12, and are independently allowable.)

Furthermore, new independent claim 64 is similar to original claims 1 and 9, but without reciting ethylene vinyl acetate which was the subject of the previous rejection. Therefore, claim 64 is allowable. Support for the grouping of claim 64 is found in the specification at page 6, lines 1-4. New dependent claim 64 also does not recite ethylene vinyl acetate. Support for the grouping of claim 65 is found in the specification at page 6, lines 6-9. Therefore, claim 65 is allowable.

Drawing Objections

The drawings were objected to under 37 C.F.R. § 1.83(a). Specifically, the Examiner requires that FIG. 4 show reference number 58. Therefore, as shown on the enclosed replacement sheet, Figure 4 has been amended to show reference number 58, without adding new matter.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 2, 8-9, 11 and 17 (including independent claim 1) were rejected under 35 U.S.C. § 102(b) as being anticipated by Matsumoto. Claims 21, 22, 33 and 34 (including independent claim 21) were rejected under 35 U.S.C. § [102(b)] as being anticipated by Matsumoto.

As described above, independent claim 1 has been amended to include allowable claim 10. Therefore, independent claim 1 is allowable. Dependent claims 2, 8, 11 and 17 are allowable for at least their dependence on an allowable base claim.

As described above, independent claim 21 has been amended to include allowable claim 23. Therefore, independent claim 21 is allowable. Dependent claims 22, 33 and 34 are allowable for at least their dependence on an allowable base claim.

Claim Rejections - 35 U.S.C. § 103

Claims 3, 4, 6, 7, 27, 28, 30 and 31 were rejected under 35 U.S.C. § 103 as being unpatentable over Matsumoto in view of Wheatley. (Applicant believes that the rejection was based on the Wheatley 6,673,409 patent, and not the Rubino 5,638,249 patent.)

Dependent claims 3, 4, 6 and 7 are allowable for at least their dependence on allowable dependent claim 1, while dependent claims 27, 28, 30 and 31 are allowable for at least their dependence on allowable independent claim 21. In addition, Applicant respectfully traverses the combination of Matsumoto and Wheatley because there is no motivation to combine the air freshener of Matsumoto with the frictional holding pad of Wheatley absent Applicant's disclosure.

Claim 32 was rejected under 35 U.S.C. § 103 as being unpatentable over Matsumoto in view of Cheris.

Dependent claim 32 is allowable for at least its dependence on allowable independent claim 21. In addition, Applicant respectfully traverses the combination of Matsumoto and Cheris because there is no motivation to combine the air freshener of Matsumoto with the stackable tray of Cheris absent Applicant's disclosure.

Claims 37, 38, 39, 41-45, and 49-51 were rejected under 35 U.S.C. § 103 as being unpatentable over Matsumoto in view of Wheatley. (Applicant believes that the rejection was based on the Wheatley 6,673,409 patent, and not the Rubino 5,638,249 patent.)

As described above, independent claim 37 has been amended to include allowable claim 46. Therefore, independent claim 37 is allowable. Dependent claims 38, 39, 41-43 and 49-51 are allowable for at least their dependence on an allowable base claim. In addition, Applicant respectfully traverses the combination of Matsumoto and Wheatley because there is no motivation to combine the air freshener of Matsumoto with the frictional holding pad of Wheatley absent Applicant's disclosure.

Claim 49 was rejected under 35 U.S.C. § 103 as being unpatentable over Matsumoto in view of Wheatley and further in view of Cheris. (Applicant believes that the rejection was based on the Wheatley 6,673,409 patent, and not the Rubino 5,638,249 patent.)

Dependent claim 49 is allowable for at least its dependence on allowable independent claim 37. In addition, Applicant respectfully traverses the combination of Matsumoto and Wheatley and Cheris because there is no motivation to combine the air freshener of Matsumoto with the frictional holding pad of Wheatley with the stackable tray of Cheris absent Applicant's disclosure.

CONCLUSION

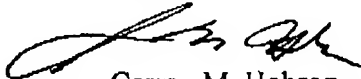
In light of the above, Applicant respectfully submits that pending claims 1-8, 11, 13-22, 24-43, and 47-65 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Garron M. Hobson at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge Deposit Account No. 20-0100, in the amount of \$200, is enclosed for two additional independent claims. Six claims were added (claims 60-65), including two independent claims (claims 60 and 64), while seven claims were canceled (claims 9, 10, 12, 23, 44, 45 and 46).

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 20-0100.

DATED this 18th day of April, 2005.

Respectfully submitted,



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